

3-5-02 Hg  
PATENT SIMM-CIP1

UNITED STATES DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Applicants:	Kendell Simm	)	
	Dale Emis	)	
Serial No: unknown		)	GROUP ART UNIT: Unk
was 09/665,636		)	was Jila Mohandesi
Filing Date: herewith		)	EXAMINER: Unk
was 9/19/2000		)	was Jila Mohandesi
Title:	<b>HYPODERMIC NEEDLE</b>	)	
	<b>HOLDER</b>	)	



Commissioner of Patents and Trademarks  
Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 CFR section 1.97, the Applicant submits the following information, accompanied by a copy of the cited documents. Form PTO 1449 is attached. A detailed discussion will follow.

By submitting these materials, the applicant does not concede that all are prior art. They do not know when some of the competitive devices were first made public. These references were cited in a case which Attorney for Applicant is prosecuting, and may or may not be relevant to this case. Citation is made for completeness under rule 56.

### Introduction:

The inventors of the invention set forth in the application identified in the heading of this document is an individual. The inventors have participated in the design and development of the invention.

Some of the references appear to be relevant to, or useful in, evaluating the present patent application. For the purpose of completeness and accuracy, this patents are enclosed.

**Patents:**

The references referred to above follow:

U.S. Patent No. 75,689 issued on 3/1868 to Mattson discloses a bulb syringe kit.

U.S. Patent No. 1,625,035, issued on 4/1927 to Lilly discloses a syringe pocket kit.

U.S. Patent No. 2,523,877, issued on 9/1950 to Pestoli discloses a square carrier for syringes.

U.S. Patent No. 3,133,635, issued on 5/1964 to Gordon et al discloses a horizontal holder.

U.S. Patent No. 3,727,749 issued on 4/1973 to Martin discloses a syringe holder for dangerously causing re-capping of the syringe.

U.S. Patent No. 3,746,155 issued on 7/1973 to Seeley discloses a pocket size two cavity syringe holder.

U.S. Patent No. 3,937,219, issued on 2/1976 to Karakashian

discloses a wedge shaped holder with square insert.

U.S. Patent No. 4,351,434 issued on 9/1982 to Elisha discloses a can shaped disposer.

U.S. Patent No. 4,375,849 issued on 3/1983 to Hanafi discloses a can with various sized graduated slots for needle dis-engagement.

U.S. Patent No. 4,452,358 on 6/1984 to Simpson discloses a box container with a teardrop entry.

U.S. Patent No.4,802,579 issued on 2/1989 to Hall et al discloses a key shaped opening into a container.

U.S. Patent No.4,892,191 issued on 1/1990 to Nakamura discloses a discloses a key shaped opening into a container.

U.S. Patent No. 4,917,243 issued on 4/1990 to Abrams discloses a small individual needle opening container.

U.S. Patent No. 4,919,264 which issued 4/1990 to Shinall discloses a multi opening box container.

U.S. Patent No. 4,984,686 which issued 1/1991 to Shillington discloses a hole and tapered slot opening into a container.

U.S. Patent No. 4,995,871 issued on 2/1991 to Sasaki discloses container with a sliding grasping mechanism.

U.S. Patent No. 5,024,326 issued on 6/1991 to Sandel et al discloses pocket container for holding syringe and other objects.

U.S. Patent No. 5,046,612 issued on 9/1991 to Mostarda discloses

a serpentine needle grasping small container.

U.S. Patent No. 5,057,656 issued on 10/1991 to Galber discloses a folding box container.

U.S. Patent No. 5,133,454 issued on 7/1992 to Hammer discloses a container with syringe folding lid.

U.S. Patent No. 5,265,724 issued on 11/1993 to Dondlinger discloses a series of needle grasping slots which leave the base of needles exposed.

U.S. Patent No. 5,482,067 issued on 1/1996 to Wittrock et al discloses an instrument cleaning cassette.

U.S. Patent No. 5,492,671 issued on 2/1996 to Krafft discloses a larger sterilization container.

U.S. Patent No. 5,566,828 issued on 10/1996 to Claes et al discloses a simple closing case with medicine container.

U.S. Patent No. 5,573,113 issued on 11/12/1996 to Shillington et al. discloses a spring loaded needle hub member leading into an odd size container.

U.S. Patent No. 5,484,403 issued on 1/16/1996 to Yoakum et al discloses a device for implanting solid objects in animals.

U.S. Patent No. 5,409,112 issued on 4/1995 to Sagstetter discloses a bifurcated container, one half for needles and one half for the syringe portion.

U.S. Patent No. 4,758,230 issued on 7/1988 to Rycroft discloses a syringe barrel assembly.

U.S. Patent No. 4,520,926 issued on 6/1985 to Nelson et al discloses a jug style bottle for disposal.

U.S. Patent No. 2,810,473 issued on 9/1953 to Oden et al discloses a sterilising structure with round bores for holding needles.

U.S. Design Patent No. Des. 401,690 issued on 11/24/1998 to Kendall A. Simm illustrates a rectangular box with "v" shaped members adjacent the opening.

## **RECEIPT WITHOUT FEE DUE**

This disclosure statement should be received without fee because:

  X   Under 37 CFR 1.97 (b) this information disclosure statement is filed: (1) Within three months of the filing date of a national application; or (2) Within three months of the date of entry of the national stage as set forth in w 1.491 in an international application; or (3) Before the mailing date of a first Office action on the merits.

  N/A              **Certification**

Attorney for Applicant Certifies that:

  X   (0) This disclosure statement is being filed with the patent application.

\_\_\_\_\_ (1) That each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or

\_\_\_\_\_ (2) That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in # 1.56(c) more than three months prior to the filing of the statement. (Cited in related U.S. Application)

For the foregoing reasons, the Applicants submits that these references neither disclose nor suggest the claimed invention.

Dated: January 9, 2002

Respectfully submitted:



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Docket: SIMM-1

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I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE “EXPRESS MAIL POST OFFICE TO ADDRESSEE” SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO:

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